

Exhibit 2



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December 6, 2017

Sent via email to emuldowney@sandsanderson.com
Elizabeth Martin Muldowney, Esq.
Sands Anderson, PC
1111 East Main Street, Suite 2400
Richmond, VA 23218-1998

Re: Riggleman v. Clarke, et al.
U.S. District Court, Western District of Virginia
Case No: 17-cv-63

Dear Ms. Muldowney:

I am writing you regarding the expedited discovery we will be seeking regarding the preliminary injunction hearing of January 18, 2018. Before we move the court for leave and make our good cause arguments, we are reaching out to see if you will stipulate to all or part of this discovery as permitted in the Federal Rules of Civil Procedure.

Because time is of the essence with the pending hearing – and believe me we understand everyone is busy right now – we kindly request that you respond to these proposed stipulated discovery matters by 3:00 p.m. tomorrow (December 7, 2017). That way, if there are any non-negotiables, we can get this in front of the judge sooner and work it out.

We are seeking the following:

1. Written third-party discovery requests to VDOC, including:
 - a. Requests for Production of Documents, where the time frame for each is January 20 2012 through the date the request is received:
 - i. all policies and procedures regarding the treatment of Hepatitis C.
 - ii. all protocols regarding the treatment of Hepatitis C.
 - iii. all clinical guidelines (state or federal) regarding the treatment/management of Hepatitis C within prisons.

- iv. all drafts of policies, procedures, guidelines, regulations, and protocols regarding the treatment of Hepatitis C in VDOC prisons.
- v. all policies, procedures, guidelines, regulations, and protocols regarding the treatment of Hepatitis C specific to Augusta correctional Center. (Just in case they have local policies, procedures, etc.)
- vi. all emails regarding the treatment of Hepatitis C. Proposed search terms (Hepatitis C, Hep C, Harvoni, Ledipasvir, Sofosbuvir, direct-acting antiviral, DAAD, fibrosis, cirrhosis, FibroSure, FibroTest, FIB-4, FIB4).*
- vii. all emails regarding Terry Riggleman. Proposed search terms (Terry Riggleman, Riggleman, 1000538).*
- viii. all medical certifications from any agency, authority, commission, and national or state organizations with respect to medical care in the VDOC.
- ix. all training records for Mark Amonette related to the management/treatment of Hep C.
- x. all emails to and from Harold Clarke with respect to the management/treatment of Hep C*
- xi. all emails to and from Harold Clarke regarding Terry Riggleman. Proposed search terms (Terry Riggleman, Riggleman, 1000538).*
- xii. all text messages to and from Harold Clarke regarding Terry Riggleman. Proposed search terms (Terry Riggleman, Riggleman, 1000538).*
- xiii. all emails to and from Mark Amonette regarding Terry Riggleman. Proposed search terms (Terry Riggleman, Riggleman, 1000538).*
- xiv. all text messages to and from Mark Amonette regarding Terry Riggleman*
- xv. five invoices that demonstrate the cost(s) of providing the drug Harvoni to VDOC inmates in 2017
- xvi. five invoices that demonstrate the cost(s) of providing the drug Ledipasvir to VDOC inmates in 2017
- xvii. five invoices that demonstrate the cost(s) of providing the drug Sofosbuvir to VDOC inmates in 2017
- xviii. all contracts with all entities who provide medication(s) that are given to VDOC inmates who are diagnosed with Hepatitis C

- xix. all documents and things that identify the full names and last known address of every inmate that is either incarcerated or was incarcerated in the VDOC with Hepatitis C. We will work with you to quickly draft a protective order pursuant to 45 CFR 164.512(e).
2. Interrogatories to Defendant Clarke where the time frame for each is January 20 2012 through the date the interrogatory is received:
 - i. identify the number of persons diagnosed with Hepatitis C within VDOC custody.
 - ii. Identify all provider(s) of medication(s) for treating VDOC inmates who are diagnosed with Hepatitis C
 3. Interrogatories to Defendant Amonette, where the time frame for each is January 20 2012 through the date the interrogatory is received:
 - i. identify the number of persons diagnosed with Hepatitis C within VDOC custody.
 - ii. Identify all provider(s) of medication(s) for treating VDOC inmates who are diagnosed with Hepatitis C
 4. Deposition of Defendant Clarke
 5. Deposition of Defendant Amonette
 6. Deposition of 30(b)(6) VDOC representatives (persons other than Defendants). Topic areas, with the time frame for each being January 20 2012 through the date the subpoena is received :
 - a. Treatment of inmates diagnosed with Hepatitis C
 - b. Purchase of Hepatitis C medication, including Harvoni, Ledipasvir, and Sofosbuvir
 - c. Monitoring of the medical condition of inmates diagnosed with Hepatitis C
 - d. Development of all policies, procedures, protocols, guidelines, and regulations for treating inmates diagnosed with Hepatitis C
 7. Depositions of any third parties having knowledge of facts relevant to the Plaintiff's motion for a preliminary injunction

*** Regarding electronic discovery of emails, we have our own IT vendor and we want that person to be present when these searches occur and to coordinate with VDOC's designated IT person conducting the search. Our request will specifically request a date and time for our representative to conduct the search as permitted under Rule 34(a). Please do not cause any electronic searches to be performed prior to our IT person being present.**

I appreciate you getting back to me and look forward to discussing these requests with you.

Sincerely,

s/ Andrew R. Tate, Esq.

s/ Mario B. Williams, Esq.

cc: Edward J. McNelis, III, Esq.